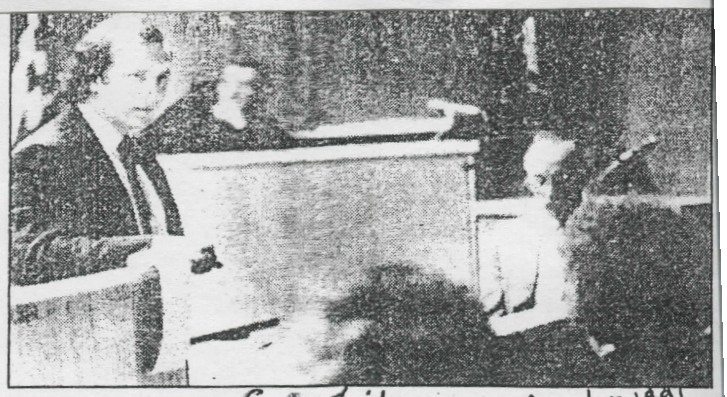
N.H. Room -- Lateral File
Folder: Smart Pamela
Source: Eagle Tribune
Item:
Date: 3/7/1991



Eagle Tribune March 7, 1991 AP photo

Addresses jury: Lawyer Mark Sisti

Defense goes after blood in cross-examination

EXETER, N.H. — Mark Sisti was out for blood yesterday, and taking careful steps to assure that none of it stained his client.

Mr. Sisti, one of Pamela Smart's two lawyers, cross-examined Patrick Randall, a prime prosecution witness, for about 15 minutes.

His rapid-fire questions ran like this:

"Pam Smart didn't make you kill anybody, right?"

"In fact, you went to over to 4E Misty Morning Drive to kill Gregory Smart for your friend, Bill, right?

"On over 20 occasions, you and Flynn and Lattime sat around brainstorming ways to kill Greg Smart, right?

"You sat around brainstorming the pros and cons of slitting a man's throat as opposed to firing a .38-caliber projectile through his head, right?"

"Is there anything — before I really get into to this cross-examination — that you would like to blame on Pamela Smart, other than what you have already said?"

Mr. Sisti's questions were designed to impress upon the jury that Mr. Smart died at the hands of teen-age attackers and not because of his pretty young wife.

But he did not ask any follow-up questions about the day of the murder, when his client rode with her co-conspirators to pick up their getaway car.

And he shied away from questions about Mrs. Smart's alleged sexual involvement with William Flynn, focusing instead on Mr. Randall's character.

After the murder "you went to Hampton Beach to trade the gold jewelry you got after a killing a guy for money to buy cocaine, right?" he asked.

"Right," Mr. Randall, replied. "'I wanted to get my mind off what happened."

It is not clear how long defense lawyers can avoid any mention of the affair or their client's complicity.

It is clear, however, they will avoid it as long as they can.

— Linda Bean

Here is what has happened in trial

EXETER, N.H. — Pamela Smart schemed with a teen-age lover to murder her husband, prosecutors say.

Then, they say, she implicated herself on a series of tapes and plotted from prison to murder Cecelia Pierce, the state's star witness.

Mrs. Smart, former media director for Winnacunnet schools, is accused of conspiracy to murder, accomplice to murder and witness tampering in connection with Gregory Smart's death. Mr. Smart, 24, a popular insurance salesman, was shot and killed at the couple's Derry, N.H., apartment on May 1.

Prosecutors say Mrs. Smart, 23, lured William Flynn, 16, into a conspiracy with sex and lies, complaining that her husband beat her.

She promised him a share of her insurance money and threatened to break off their relationship if Mr. Flynn did not carry out the murder plot.

They alleged she promised Mr. Flynn's friends — Vance "JR" Lattime, 18, and Patrick "Peter" Randall, 17 — jewelery, money and stereo equipment if they helped.

The boys were arrested in June.

Mr. Flynn, the triggerman, was charged with first-degree murder. The others were charged as accomplices.

In July, Miss Pierce, 16, wore a body wire for police and recorded Mrs. Smart warning her against telling the truth about the murder scheme. Miss Pierce, who knew about the murder several weeks in advance, sold her story to Hollywood movie producers for $100,000.

In late January, all three boys pleaded guilty to reduced charges after they had been certified as adults.

A fourth boy, Raymond Fowler, 19, was arrested in January for

Testified: Mr. Randall

conspiring with the other three about the murder. Unlike his friends, he has not confessed to the crimes. He is being held in the Brentwood, N.H., jail.

Here is what has happened so far in the trial:

MONDAY: The jury viewed the Derry condominium where Gregory Smart was killed and toured Mrs. Smart's office at the Winnacunnet schools administrative offices. They were trailed about 40 reporters.

TUESDAY: Prosecutors painted Mrs. Smart as a sinister seductress who feared she would lose her dog and her car if she and her husband divorced.

Defense attorneys, meanwhile, denounced the boys as "thrill killers, young thrill killers."

Patrick Randall, 17, told the jury how he forced Mr. Smart to his knees, grabbed his hair and held a butcher knife to the older man's throat on May 1.

He said Mr. Flynn held a gun to Mr. Smart's head, said "Forgive me ,God" and shot him.

YESTERDAY: Vance "JR" Lattime, 18 — driver of the getaway car — told the court Mrs. Smart repeatedly asked how she should behave when she saw her husband's body.

"She had asked if she should scream," Vance Lattime testified. "We all told her she should just act normal."

He also said Mrs. Smart insisted the boys use a gun in the killing, instead of a knife.

The trial was suspended today, so Paul Twomey, one of Mrs. Smart's lawyers, can argue a case in federal court.

Testimony will resume Friday.

Prosecutor: Assistant Attorney General Diane Nicolosi asked Vance Lattime yesterday about Pamela Smart's tone of voice when she asked what she should do upon finding her husband's body. He said Mrs. Smart seemed a bit nervous. The prosecution is attempting to paint Mrs. Smart as a sinister seductress who feared she would lose her dog and her car if she and her husband divorced. Defense attorneys denounced the boys as "thrill killers, young thrill killers."

False alarm disrupts murder trial testimony

EXETER, N.H. — Testimony in the Pamela Smart murder-conspiracy trial was interrupted yesterday when a false fire alarm forced everyone out of the courthouse.

Someone smoking a cigarette under a smoke detector in the probate court chambers reportedly set off the alarm at 2:45 p.m. — just before a firearms expert was about to take the stand.

The building was evacuated, including Vance Lattime, Jr., who was shackled and escorted by several sheriffs into an armored van outside. Mrs. Smart was also led out.

Mr. Lattime is one of three teen-agers who allegedly conspired with Mrs. Smart to kill her husband, Gregory, and later pleaded guilty to the crimes. He testified against her yesterday.

Exeter fire officials came to the scene, and the crowd moved back inside about 20 minutes later.

— Diana Brown